

Not for Publication

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

UNITED STATES OF AMERICA,

Plaintiff,

v.

DA YING SZE,

Defendant.

Criminal Action No. 22-0141 (ES)

ORDER

SALAS, DISTRICT JUDGE

In this criminal action, Defendant Da Ying Sze pleaded guilty to federal offenses based upon his role in operating an unlicensed money transmitting business. (*See* D.E. Nos. 77 & 80). As part of his plea agreement, Defendant agreed to forfeit all of his right, title, and interest, in any and all property involved in, or traceable to the federal offenses. (*See* D.E. No. 80). As a result, the Court entered a Consent and Preliminary Order of Forfeiture, providing for the forfeiture of specific property, which Defendant admitted had the requisite nexus to the offenses to which Defendant pleaded guilty, including funds held in various bank accounts. (D.E. No. 82 at 2–4). Petitioners Chi T. Cheung; Shi Chun Lin and Qiu Fang Chen; Yongning Wang; Hui Jiang; Wei Guang Wang; Zhi Hong, Chen; Xiu Yu Jiang; Jing Ping Lin; and Mao Qing Chen have filed Petitions for an ancillary hearing pursuant to 21 U.S.C. § 853(n) to assert their interest in funds that have been ordered forfeited to the United States in the Consent and Preliminary Order of Forfeiture. (*See* D.E. Nos. 86–88 & 91–97). Before the Court is the Government’s motion to dismiss the third-party Petitions pursuant to Federal Rule of Criminal Procedure 32.2(c)(1)(A). (D.E. No. 104). Having considered the parties’ submissions, the Court decides this matter without

oral argument. *See* L. Civ. R. 78.1(b); L. Crim. R. 1.1. For the reasons set forth in the Opinion filed herewith,

IT IS on this 18th day of January 2024, hereby

ORDERED that the motion (D.E. No. 104) is GRANTED; and it is further

ORDERED that the Petitions (D.E. Nos. 86–88 & 91–97) are dismissed *with prejudice*.

s/ Esther Salas

Esther Salas, U.S.D.J.